



Oregon

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March 22, 2023

The Honorable Paul Evans, Co-Chair
The Honorable Janeen Sollman, Co-Chair
Public Safety Subcommittee on Ways and Means
900 Court Street, N.E.
Salem, OR 97301

Subject: Response to Subcommittee Questions Regarding
the Victim Notification System

Members of the Joint Committee on Ways and Means Subcommittee on Public Safety:

Below are the Public Affairs Counsel's questions regarding the Department of Corrections' (DOC's) victim notification system, commonly referred to as "VINE," which were presented to DOC during the March 14 and 15, 2023, Senate Bill 5504 Information Meetings. DOC's responses follow each question.

1. How long has VINE operated in Oregon and how long has Appriss contracted with the DOC to operate the VINE system? (March 14 and 15)

The contract with Appriss was first executed with a six-year term June 26, 2007. There have been seven amendments to this contract, currently terminating on April 30, 2023.

2. Notifying victims, district attorney's [sic], and law enforcement personnel is a critical component to their safety. Why did the DOC make the decisions [sic] to switch notification systems without more notice to legislators, impacted stakeholders? (March 14 and 15)

DOC's Victim Services Unit has communicated with over a dozen stakeholder groups that represent a vast connection to victim services and continues to provide information to anyone seeking information. Initial engagements began January 2022, and we've continued to add stakeholder groups to our communication list since that time. Our communication efforts include groups such as:

- Attorney General's Taskforce on Victims' Rights
- Board of Parole and Post-Prison Supervision
- Crime Victims United
- Department of Justice (DOJ) Crime Victim and Survivor Services Division
- Mothers Against Drunk Drivers (MADD) – Oregon Chapter
- National Crime Victims Law Institute
- Oregon Association of Community Corrections Directors

- Oregon Crime Victim Law Center
- Oregon Sheriffs & Jail Commanders Association
- Oregon Youth Authority
- Parents of Murdered Children
- Post-Conviction Advocacy Network
- Psychiatric Security Review Board
- Oregon State Police
- District attorneys
- Oregon Law Center
- Oregon Coalition Against Domestic and Sexual Violence

3. Can you explain why the DOC choose *[sic]* to select a new vendor and do a GSA sole source *[sic]* contract? Why didn't the agency conduct a competitive RFP *[Request For Proposal]* process with stakeholder involvement? (March 14 and 15)

In addition to the problems with the Appriss (now Equifax) system as set forth in question 6 below, DOC has been concerned about cost and the funding for the system. The cost of the Appriss system has increased three percent (3%) per year since its inception. Currently, the license fee is \$424,000.00. The VINE system is funded through a mechanism DOC established in 2007. A percentage of every Performance Recognition and Award System (PRAS) credit awarded to adults in custody (AICs) is assessed to fund the annual cost of the VINE system. No other funds from county Sheriffs, Oregon Youth Authority, the Board of Parole and Post-Prison Supervision, or DOC contribute to the VINE system operations.

In 2019 DOC conducted an analysis of the VINE system costs and found that the increases for operating VINE were outpacing the collection rate from the AICs. During this evaluation, DOC also learned that Appriss was making data collected from our transmissions to VINE available to other platforms offered by Appriss.

DOC began its procurement activity in November 2021. DOC conducted some market research, gathered information, and compared available systems, talked with other states, and requested quotes from Appriss (now Equifax) and Information Strategies (InfoStrat). Based upon the information DOC had gathered and potential procurement methods available, DOC elected to utilize a federal cooperative agreement, the General Services Administration (GSA) Schedule 70, to contract for the replacement system as permitted under ORS 279A.180. Using a cooperative agreement often reduces the time and money needed to procure goods and services. DOC followed the procurement processes set forth in OAR 125-246-0360 and complied with the requirements of the GSA in its selection of a contractor and selected InfoStrat. On August 30, 2022, DOC posted its notice of intent to participate in a federal cooperative agreement and award a contract under the GSA Schedule 70 in OregonBuys. In its notice, DOC included a right to protest the award of the contract under the GSA schedule and set forth the process to submit the protest. No protests were received to the notice.

4. Can you provide a list of the stakeholders that participated as part of any workgroup to discuss the transition to a new IT system and the dates, and the number of times they met? Where [sic] any major groups left out of the workgroup? Why weren't legislators notified this was going on? (March 15)

DOC created a steering committee (as required under the State of Oregon information technology investment policies) to discuss the transition to a new IT notification system.

Members of the steering committee include:

- Thom Martin
- Jacob Ramsey
- Saydyie DeRosia
- Parm Kaur
- Parrish Van Wert
- Laura Medcalf
- Josh Aldrich
- Raj Sridar
- Annette Chrisemer
- Adrienne OConnor
- Matt Ausec
- Donald Pack
- Jaime Breyman
- Jason Miranda

In addition to the steering committee, DOC also kept the stakeholder group listed in response to question 2 informed on the transition.

DOC also met with the largest inclusive consortium of victim advocacy representatives, the Attorney General's Task Force on Victims' Rights Enforcement. Minutes of these engagements can be found in the posted minutes of January 24, 2022, April 25, 2022, July 25, 2022, and October 24, 2022. [Attorney General's Task Force on Victims' Rights Enforcement - Oregon Department of Justice \(state.or.us\)](https://www.oregon.gov/DOJ/Pages/Attorney-General's-Task-Force-on-Victims-Rights-Enforcement.aspx)

DOC did not notify the Legislative Assembly. Typically, DOC does not engage legislators regarding procurement and contracting issues. Further, the funding of the notification system has long-been established through the PRAS system, so there were no general funding issues requiring Legislative Assembly input.

- 5. It is our understanding that InfoStrat has not successfully implemented their notification system in any state. VINE, on the other hand, successfully operates this system in 47 states. Two prior states, Iowa and Pennsylvania, are back with VINE due to implementation issues with the InfoStrat system. Indiana, who switched, is more than 1 year behind schedule on implementation. Given Oregon's track record with IT issues, what makes the DOC confident that this switch will be successful and won't leave victims vulnerable? (March 15)**

For many years Appriss (now Equifax) was the only vendor offering victim notification services in the United States. That is the reason so many states, Oregon included, currently have contracts with Appriss (now Equifax). In the last few years, with the availability of new technology, other vendors have entered this space.

DOC conducted research with four other states that have successfully transitioned to InfoStrat. Those states include Indiana (2010), Texas, Virginia, and South Dakota. Minnesota, a previous VINE customer, developed an in-house solution. Due to complexity and cost overruns, Minnesota recommended Oregon DOC not pursue this path, and highly recommended we consider contracting with InfoStrat for these services.

Indiana DOC transitioned to the InfoStrat system in 2010. The jails in that state remained with Appriss (now Equifax) until their recent transition as well. We understand that for Indiana's 92-jail transition, an outside firm was hired to complete the programming needed, as well as a project management firm other than InfoStrat.

DOC also contacted Iowa and Pennsylvania to better understand what happened in their failed transition. DOC found that those states' issues were also not directly related to the InfoStrat system but the result of the state's lack of or failure of project management.

Unlike some of the other states, in Oregon the State Chief Information Officer and Enterprise Information Services (EIS) have oversight authority over all state agency information technology investment (see ORS 276A.206). Statewide Policy 107-004-130 sets forth the guidelines used for the oversight. The oversight process for mission-critical systems or projects over \$1 million is known as "Stage Gate." ([Oregon Stage Gate Process](#)) As required, DOC has been actively working with EIS through the Stage Gate oversight process since January 2022. To date, DOC has received Stage Gate 1, Stage Gate 2, and Stage Gate 3 approval.

DOC's contract with Appriss (now Equifax) provides for transition services. DOC has been working with Appriss (now Equifax) on an extension of the VINE services for some time. DOC presented Appriss (now Equifax) with a transition plan on November 30, 2022. Our current contract expires April 30, 2023, and the transition plan will extend services through June 30, 2023. DOC intends to stand up the new notification system and run the new program parallel with the Appriss' VINE system to ensure operational mirroring and functionality prior to discontinuing service with VINE.

6. Why would the agency recommend switching from a system that has worked well for more than 10 [sic] years, and has broad stakeholder support [sic] to go with a system that has no track record of success? (March 15)

DOC initiated the migration to a new system for several reasons:

1) Limitations and problems with stability, maintenance, and repair of the VINE system.

- DOC has experienced numerous issues with the VINE system and Appriss' response over the years. In March 2015, the VINE system experienced a major technical glitch related to data transfer and erroneous messaging. To avoid this in the future, Appriss created a messaging threshold of 850 notifications. When this threshold is reached, the system stops sending notifications until the DOC authorized representative releases future notifications. Notifications that should have taken place starting at the time of the stop until the time notifications are released are lost. This threshold remains in effect to this day under the Appriss (now Equifax) system. On two occasions, as recently as September 2021 and January 2022, the Appriss (now Equifax) system stopped issuing hundreds of notifications.
- Transmission points across the state have and continue to go offline. At times for months, AIC movement data would not be transmitted without accessing Emergency Override Line (EOL) and requiring significant manhours to send out notifications.
- The Appriss (now Equifax) system limits the DOC transmissions to seven times per day, which results in approximately one and one-half hours between transmissions and notifications. The whereabouts of an AIC for this period may not be known.
- The Appriss (now Equifax) system is not capable of providing timely emergency victim notification scripts. Additionally, the VINE system relies on physical devices located within each county, and reliance on a system containing these multiple fail-points has been problematic. In contrast, InfoStrat relies on the Azure Government cloud internet-based system.

All of the above issues have resulted in significant increases in expense and time for DOC resources.

2) Upgraded services available through InfoStrat. The InfoStrat system will provide many benefits:

- Timeliness of data exchange enables real-time notifications, which allows DOC to provide more value, safety, and peace of mind to end users.
- Improved ease of use with modern user interfaces to include giving 24/7/365 control to the victims, giving them the ability to manage their notifications options without having to gain a helpdesk ticket and work with a customer service individual.
- Modern architecture and DOC self-hosted (versus contractor-hosted) solutions provide flexibility for enhancements and modifications if future changes are required from the legislature or end users.

- Enhanced data security for victims as the new system would be owned and controlled by DOC. Data would not leave the state system or be made available to other sources.
- The InfoStrat solution will also restore a victim's ability to anonymously search and register for notifications.

Moreover, DOC will be able to provide a substantially more modern, user-friendly, timely, and efficient solution to end users at a significantly reduced cost, aligning with the governor's and the state's guidelines to reduce government financial spending and replace/modernize our outdated IT technology to better align with the State Enterprise approach.

- 3) **Information from other states.** In 2016 and while attending the National Institute of Corrections Post-Conviction Advocacy Network Conference, DOC's Victim Advocate Program Manager learned that Indiana had moved away from VINE to InfoStrat. Conversations with Indiana proceeded after the conference to learn more. From 2017 to 2020, DOC gathered data on other states that had also moved away from the VINE system.
- 4) **Cost.** Even with the development costs associated with InfoStrat's implementation, the five-year lifecycle cost for InfoStrat is lower than the Appriss (now Equifax) system.
- 5) **Protection and use of the State's data.** As stated above, one of the benefits of the new InfoStrat solution, is data protection and security. The State's data never leaves the custody or control of the DOC system.
- 6) **Acquisition of Appriss Insights and change of ownership.** In October 2021, Appriss Insights, the owner of VINE, was purchased by Equifax for \$1.825 billion (Equifax Completes Acquisition of Appriss Insights [Equifax to Acquire Appriss Insights](#)). Any change in ownership of a service provider introduces potential risk.

7. If this new system fails, as it has in other states, and victims aren't notified and something terrible happens to a victim or law enforcement personnel Who *[sic]* is liable? (March 15)

Ultimate liability for any failure of the victim notification system, whether the provider is Appriss (now Equifax) or InfoStrat, depends upon the facts causing the failure and the contractual provisions related to the assumption of the risks. The State and InfoStrat have negotiated and agreed upon indemnity and hold harmless protections, as well as necessary insurance coverage to protect the State in the event of a failure of the system.

8. How many states currently use InfoStrat statewide for victim notifications? (March 15)

We understand that four states are currently successfully using the InfoStrat system: Indiana, Texas, Virginia, and South Dakota.

9. Does InfoStrat operate an in-house 24/7/365 Global Support and Operations Center? Do they operate and in-house 24/7/365 “Customer First Center” [sic] where victims can call for assistance with notifications and receive answers to their questions? (March 15)

No. InfoStrat contracts with a third-party to provide customer service. The third party is Westpark Communications LLC. Westpark operates and maintains a 24/7/365 global victim support center located in Texas.

10. Due to the sensitive nature of the calls received, would the InfoStrat customer service staff receives [sic] in-depth sensitivity training? My understanding is typical/outsourced call center do not provide that. (March 15)

The contract with InfoStrat requires that its personnel and subcontractors be trained to perform all services under the contract. Additionally, any calls of a sensitive nature are forwarded to ODOC for response.

Thank you for the opportunity to respond to questions related to DOC’s victim notification services. Victims of crime are our top priority in our decision making, and I assure you our decision to change vendors was not made quickly or taken lightly. We also understand well the potential risks associated with this change, and we are working hard to ensure a smooth and uninterrupted transition. We are confident this new system will greatly enhance the services provided to victims of crime, and we owe it to them to get this right. We intend to do just that.

Sincerely,



Heidi Steward
Acting Director
Oregon Department of Corrections